

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

972 WRIT PETITION NO.7503 OF 2019

AJAYKUMAR BHAGWANRAO VALJWADE
VERSUS
THE COMPETENT AUTHORITY / THE SUB DIVISIONAL OFFICER AND
ANOTHER

...
Advocate for Petitioner : Mr. Dhanure Bramhanand M.
AGP for Respondents/State : Mr. S.M. Ganachari
...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**
DATE : 20.06.2019

PC. :-

We have heard the learned advocate for the petitioner. The learned advocate submits that the petitioner has raised an objection under Section 3-H. The Competent Authority has to refer the dispute to the Civil Court under Section 3-H (4) of the National Highways Act. The same is not been referred to by the authority.

2. The Competent Authority has not passed any order on an objection raised by the petitioner. It is after hearing parties the Competent Authority has to take decision about referring the matter to the Civil Court or otherwise. We cannot preempt the decision of the competent authority.

3. In case the Competent Authority takes any decision adverse to the

interest of the petitioner then the petitioner has a remedy to approach this Court.

4. With these observations the writ petition is disposed of.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]